Canada

PUBLIC PROSECUTION SERVICE OF CANADA

Report on Plans and Priorities

2009-10

Public Prosecution Service of Canada
Service des poursuites pénales du Canada

ERRATA

Subsequent to tabling in Parliament and online publication of the 2009-2010 Report on Plans and Priorities, the Public Prosecutions Service of Canada determined that four tables in both the English and French versions contained errors.

1- In Section 1.2, *RPP Summary Table*, the correct figures for Program Activity #2 are as follows:

($ millions)	2008-09	2009-10	2010-11	2011-12
Program Activity #2: Regulatory offences and economic crime prosecution program	14.5	16.2	16.2	16.2

2- In Section 1.2, *Voted and Statutory Items Table*, the correct value ($ millions) for Vote 35, Program expenditures for 2008-09 is 124.1.

3- In Section 2.2, *Program Activity #2*, the correct values for FTEs and Planned Spending are as follows:

Human Resources (FTEs) and Planned Spending ($ thousands)					
2009-10		2010-11		2011-12	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
160	16,220	167	16,220	165	16,220

4- In Section 2.3, *Program Activity #3*, the correct values for the 2010-11 and 2011-12 financial resources are as follows:

Financial Resources ($ thousands)	
2010-11	2011-12
20,519	20,035

The English and French PDF versions have been updated and include the correct values.

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MESSAGE FROM THE ATTORNEY GENERAL OF CANADA

In a relatively short period, the Public Prosecution Service of Canada has demonstrated its important contribution to the Government of Canada's efforts at tackling crime, and its support of the work of police and law enforcement agencies across Canada to defend the law and create safer, stronger communities.

The primary responsibility of the Public Prosecution Service continues to be the initiation and conduct of prosecutions under federal jurisdiction, and intervention in cases affecting prosecutions and investigations.

This *Report on Plans and Priorities* shows how the Public Prosecution Service is on track, dealing with the challenges posed by varied internal and external factors.

I would like to acknowledge the ongoing efforts of PPSC staff, who have maintained the high level of professionalism which has always marked the work of federal prosecutors in Canada.

The Honourable Robert Douglas Nicholson
Attorney General of Canada

MESSAGE FROM THE ACTING DIRECTOR OF PUBLIC PROSECUTIONS

I am pleased to present the *2009-10 Report on Plans and Priorities* for the Public Prosecution Service of Canada (PPSC). Created by the *Director of Public Prosecutions Act* in 2006, the PPSC prosecutes federal offences on behalf of the Crown and provides legal advice to investigative and law enforcement agencies as an independent, transparent and accountable organization, working in the public interest.

This report outlines an adjustment to the corporate priorities of the PPSC, as approved by the Executive Council. For the period covering 2009-10, Knowledge Management replaces the establishment of a corporate structure as a corporate priority and joins ensuring the safety and security of our employees, implementing a recruitment and retention strategy, and developing performance measures.

This report charts an ambitious course for the organization for the coming year. I am confident that we will continue to meet the challenges ahead, while providing benefits to Canadians as a full partner in Canada's criminal justice system.

Brian Saunders
Acting Director of Public Prosecutions

SECTION I—OVERVIEW

1.1 Summary Information

Raison d'être

The mandate of the Public Prosecution Service of Canada (PPSC) is set out in the *Director of Public Prosecutions Act* [1] . The Act calls on the PPSC to provide prosecutorial advice to law enforcement agencies, and to prosecute matters on behalf of the Crown that are within the jurisdiction of the Attorney General of Canada. The PPSC's sole strategic outcome is the independent, impartial and fair prosecution of criminal and regulatory offences under federal law.

The PPSC plays an integral role in the criminal justice system, promoting due process and working to safeguard the rights of all those who come into contact with the system. The benefits to Canadians from the work carried out by the PPSC include:

- Provision of legal advice to federal investigative agencies and government departments on the criminal law implications of investigations and prosecutions;
- Appropriate enforcement of federal laws through principled and independent decisions by prosecutors; and
- Confidence in the administration of justice through professionally conducted prosecutions that result in a judicial determination on the merits of the evidence.

The PPSC is a national prosecution service with a network of offices located throughout Canada. Of its approximately 900 employees, the majority are staff prosecutors supported by other professionals including senior managers, paralegals, administrators, and corporate services staff. In addition, the PPSC employs the services of private sector legal agents in locations where it is more cost-effective than to have an office or staff counsel on travel status, or where the demand for prosecution services exceeds available staff resources. The PPSC currently retains some 210 standing agent firms across Canada, representing approximately 730 individually appointed counsel.

[1] The PPSC was created on December 12, 2006, when Part 3 of the *Federal Accountability Act* received Royal Assent, bringing the *Director of Public Prosecutions Act* into force.

Responsibilities

The PPSC undertakes key duties on behalf of the Attorney General of Canada. These key duties, to be carried out in an objective and non-partisan manner, are:

- **The duty to act independently in making decisions related to criminal prosecutions** – This constitutional principle recognizes that decisions to prosecute, stay proceedings or launch an appeal must be made in accordance with legal criteria. The public interest must be taken into account, but not considerations of a partisan political nature.
- **The duty to act independently in providing prosecution-related legal advice** – While prosecution-related advice to law enforcement and other federal investigative agencies will take into account the agency's legal and policy setting, prosecutors cannot be drawn into the agency's policy making and program administration such that their ability to provide impartial, accurate and effective legal advice is undermined.

The PPSC prosecutes cases under federal statutes that are referred to it by the Royal Canadian Mounted Police (RCMP), other federal investigative agencies, provincial police forces and municipal police forces.

The PPSC's prosecution-related work is part of the criminal justice continuum, which includes investigative agencies, law enforcement, courts and other parts of the criminal justice system. Prosecution-related advice during the police investigation has become crucial to ensure that police techniques and procedures are consistent with evolving rules of evidence and the *Canadian Charter of Rights and Freedoms'* protections. The advantage of early prosecutorial advice includes reducing the risk that operational decisions, such as those about methods of obtaining evidence, will detrimentally affect the admissibility of evidence at trial.

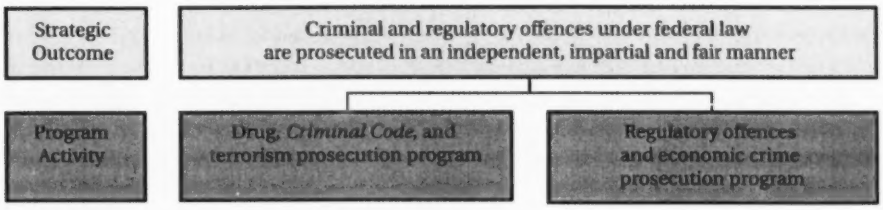
Strategic Outcome

The PPSC has one Strategic Outcome:

> ***Criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner***

Program Activity Architecture (PAA)

The following chart presents the PPSC's framework of program activities, which together contribute to achieving the organization's Strategic Outcome.


Strategic Outcome
Criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner
Program Activity
Drug, *Criminal Code*, and terrorism prosecution program
Regulatory offences and economic crime prosecution program

PAA Crosswalk

On May 5, 2008, the PPSC received approval from the Treasury Board to modify its PAA for 2009-10. The following table provides a crosswalk between the PPSC's former and new PAA.

	Planned Spending 2009–10			
($ thousands)	Drug, *Criminal Code* and terrorism prosecution program (new)	Regulatory offences and economic crime prosecution program (new)	Internal Services (new)	**Total**
Prosecution of drug, organized crime and *Criminal Code* offences (old)	112,237	–	23,637	**134,712**
Prosecution of federal offences to protect the environment, natural resources, economic and social health (old)	–	16,220	2,871	**19,091**
Addressing criminal issues in the context of prosecutions, to contribute to a safer world for Canada (old)	3,925	–	1,090	**5,016**
Promoting a fair and effective justice system that reflects Canadian values within a prosecutorial context (old)	2,151	–	567	**2,718**
Total	**118,414**	**16,220**	**28,165**	**162,799**

1.2 Planning Summary

Financial and Human Resources

The following financial and human resources tables provide a summary of the total planned spending for the PPSC for the next three fiscal years.

Financial Resources ($ thousands)

2009-10	2010-11	2011-12
162,799	161,427	161,249

Human Resources (Full-Time Equivalent - FTE)

2009-10	2010-11	2011-12
998	1,042	1,028

RPP Summary Table

Strategic Outcome :
Criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner.

Performance Indicators	Targets
• Number and nature of judicial stays for abuse of process based on the conduct of a federal prosecutor.	• Zero
• Number and percentage of successful malicious prosecution lawsuits.	• Zero
• Number and nature of substantiated complaints regarding the PPSC's independence, impartiality or fairness.	• Zero

Program Activity[2]	Forecast Spending ($ millions)	Planned Spending			Alignment to Government Outcomes
	2008-09	2009-10	2010-11	2011-12	
Program Activity #1: Drug, *Criminal Code*, and terrorism prosecution program	105.9	118.4	124.7	125.0	
Program Activity #2: Regulatory offences and economic crime prosecution program.	14.5	16.2	16.2	16.2	Social Affairs: A Safe and secure Canada
Program Activity #3: Internal Services	24.7	28.2	20.5	20.0	
Total Planned Spending	**145.1**	**162.8**	**161.4**	**161.2**	

[2] For program activity descriptions, please access the Main Estimates online at www.publiservice.tbs-sct.gc.ca/est-pre/20092010/p2-eng.asp

Contribution of Priorities to Strategic Outcome

Operational Priorities	Type	Description
Prosecuting offences under federal law	Ongoing	**Why is this a priority?** • A central element of the PPSC's mandate is to prosecute matters on behalf of the Crown that are within the jurisdiction of the Attorney General of Canada. **Plans for meeting the priority** • Prosecute cases under more than 50 federal statutes where charges are laid by the RCMP, other federal investigative agencies, as well as provincial and municipal police forces. The PPSC expects to handle approximately 77,085 cases in 2009-10 (a 3.5 % increase) if current trends continue. • Continue joint planning with stakeholders to remain in step with investigative priorities and anticipate their impact on the various prosecution areas.
Providing legal advice to investigative agencies	Ongoing	**Why is this a priority?** • Prosecution-related advice during police investigations, particularly large-scale and complex investigations, is crucial to ensure that investigative techniques and procedures conform with the evolving rules of evidence and the protections found in the *Canadian Charter of Rights and Freedoms*. **Plans for meeting the priority** • Maintain specialized teams of prosecutors that are dedicated to prosecutions where expert knowledge of specific legislation is required, e.g., economic crime prosecutions. • In the area of organized crime, the PPSC will continue to work cooperatively with investigative agencies, providing advice and litigation support during the investigative stage of highly complex cases.
Contributing to strengthening the criminal justice system	Ongoing	**Why is this a priority?** • The PPSC contributes to the government priority of strengthening the criminal justice system across Canada and improving its efficiency. **Plans for meeting the priority** • Develop and begin implementing a vision for Law Practice Management. • Continue to provide legal training to staff prosecutors, agents and senior law enforcement investigators, and promote federal/provincial/territorial (FPT) cooperation within the prosecution community on shared issues. • Promote continued cooperation through participation in meetings of the FPT Deputy Ministers of Justice, and membership in the FPT Heads of Prosecutions Committee and various related sub-committees.

Contribution of Priorities to Strategic Outcome *(cont'd)*

Management Priorities	Type	Description
Performance measurement framework	Previously committed to	**Why is this a priority?** • Sound performance measurement processes and tools help manage operational performance and enhance planning capacity. **Plans for meeting the priority** • Refine the PPSC's performance measurement strategy and framework. • Assess and improve the capabilities of our internal systems to supply the required data to support performance indicators. • Implement service standards.
Recruitment and retention	Previously committed to	**Why is this a priority?** • The PPSC values and appreciates the contribution of its employees and seeks to offer them a rewarding career with diverse opportunities and intellectually challenging work. **Plans for meeting the priority** • Complete the development of a career path for prosecutors, including enhancing training opportunities, implementing a national recruitment strategy, and developing competency profiles.
Security	Previously committed to	**Why is this a priority?** • Ensuring the safety and security of its employees is of paramount importance to the PPSC. Due to the nature of their work, PPSC employees face the risk of direct and indirect threats to their safety. **Plans for meeting the priority** • Appoint a national security officer. • Develop and implement an enhanced security plan. • Continue to work closely with police forces and the FPT Heads of Prosecution Committee to share information on security threats, issues and mitigation strategies.
Knowledge management (KM)	New	**Why is this a priority?** • KM, including continuous learning, contributes to an effective and efficient work force which is essential to the successful delivery of our mandate. **Plans for meeting the priority** • Develop our KM vision and a related strategy to refine needed knowledge bases and services, and design a multi-year action plan to deliver KM throughout the PPSC. • Update the *Federal Prosecution Service Deskbook* - a key resource tool for staff prosecutors and agents. • Hold periodic PPSC national training seminars and conferences to facilitate knowledge sharing and learning.

Risk Analysis

Operational Trends

As of January 2009, the PPSC's total estimated volume of litigation files for 2008-09 was 74,407[3], compared to 67,901 litigation files handled in 2007-08. Of this total, approximately 88% are within the drug, *Criminal Code* and terrorism offences prosecution program (which includes organized crime offences), whereas close to 12% involve the prosecution of federal regulatory offences and economic crime.

A small percentage of highly complex cases absorb a disproportionate share of the total resources of the PPSC. By way of example, organized crime cases represented approximately 3.3% of the litigation caseload in 2007-08 but approximately 23% of the recorded litigation time of PPSC counsel and paralegals. A relatively small increase in the number of organized crime cases, in response to strengthened law enforcement efforts across Canada, may have a disproportionate impact on the demand for prosecutorial resources. A single mega-case can absorb more prosecutorial resources than several hundred low-complexity cases.

Since federal and provincial prosecution services face shared issues and challenges, both levels of government benefit from collaboration under the leadership of the Federal/Provincial/Territorial (FPT) Heads of Prosecution Committee. The Committee works to promote inter-jurisdictional cooperation and assistance on operational issues such as quality assurance, organized crime prosecutions, concurrent jurisdiction, proceeds of crime, expert witnesses and prosecutor training and security. This collaboration with key stakeholders in the criminal justice system is an important element of the operating context of the PPSC. In addition, the PPSC works closely with the Securities Fraud and Economic Crime Prosecutors Affiliation, a sub-committee of the FPT Heads of Prosecutions Committee and inter-jurisdictional network of prosecutors.

External and Internal Influences Facing the PPSC

The PPSC is subject to a variety of external and internal influences, described below.

Workload and rising operational costs: Because the PPSC's workload is generated by police forces laying charges under federal statutes, it is largely based on police decisions regarding investigative priorities, tactics and allocation of resources. Increases in drug enforcement or policing resources significantly affect the nature and volume of the

[3] This is a count of litigation files carried over from previous fiscal years and worked on during 2008-09 as well as new files assigned throughout the fiscal year, including an estimate to year-end.

PPSC caseload. Similarly, changes in police tactics to focus on the upper echelons of organized crime groups to maximize deterrence, disruption and dismantling rather than on individuals in the lower ranks, affect the complexity and cost of prosecutions. The cost of prosecuting organized crime and mega-cases is far greater than simple possession drug cases, since the former types of cases often involve multiple accused and charges, complex evidence (both factually and legally), international dimensions, extensive disclosure and numerous pre-trial applications.

Government initiatives: The PPSC has an important role to play in supporting several government initiatives announced in Budgets 2006 and 2007 and in the November 2008 Speech from the Throne. These initiatives include ensuring the integrity of all components of the federal justice system, tackling crime, strengthening national security and increasing the efficiency of Canada's criminal justice system.

Provision of Support Services: The PPSC is in large part still dependent on the Department of Justice Canada for transactional services in the areas of human resources, financial management, information technology and information management. Conversely, the PPSC provides these services to Department of Justice offices located in the northern territories where the PPSC has a larger presence.

Sustainability: The PPSC must not only ensure that it has the capacity to respond to and support new government initiatives, but that it has access to resources that will allow it to ensure its long-term stability as a new organization. The PPSC will assess resource gaps relating to its capacity to deliver strategic corporate services and to conduct effective prosecution services. A resourcing strategy to support the operational requirements of the organization will be developed.

The North: Crown prosecutors assigned to the northern territories face stressful working conditions and pressures associated with isolation, cultural differences, geography and the socio-economic conditions that give rise to higher crime rates. Northern prosecutors who are required to travel on court circuits often spend many days away from their home and families and can be left stranded for extended periods due to extreme and unexpected weather conditions. Prosecutors and Crown Witness Coordinators involved in the prosecution of violent crimes often suffer the effects of vicarious trauma.

Competition for scarce resources: The salaries paid to provincial prosecutors and private sector lawyers exceed those paid to PPSC lawyers in certain regions of Canada. This affects the PPSC's ability to retain both its highly skilled prosecutors and legal agents.

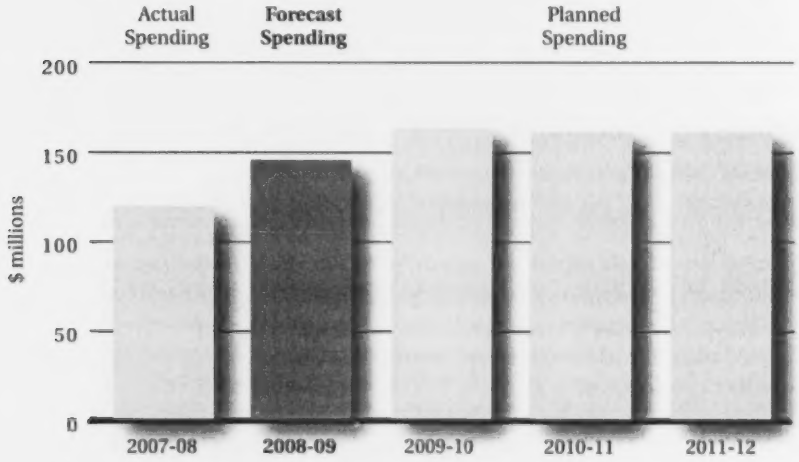
International crime networks: The globalization of crime networks has introduced new and powerful dangers to national and global security. These networks are involved in organized crime, trafficking in human beings, telemarketing fraud, money laundering and drug trafficking. International criminal networks exploit national borders in an attempt to thwart the efforts of authorities in their battle to prevent transnational crime. This reality has made it imperative for the PPSC to work more effectively with international partners to address the threats posed by these international criminal networks, to uphold the rule of law, and to enhance safety and security at home and abroad.

Security of staff: Due to the nature of their work, PPSC employees face the risk of direct and indirect threats to their safety. Ensuring the safety and security of its employees is a PPSC priority. The PPSC has established a Security Committee to ensure that appropriate security measures are developed and implemented to protect its prosecutors and other employees.

Spending Profile

For the 2009-10 fiscal year, the PPSC plans to spend $162.8 million to meet the expected results of its program activities and contribute to the strategic outcome. The following chart illustrates the PPSC's spending trends from 2007-08 to 2011-12.

Spending Trends



Since 2007-08, the PPSC's core spending increased mainly due to the implementation of higher rates paid to legal agents. Agent rates had remained unchanged since 1990. As well, the PPSC received new funding for the implementation of key government initiatives such as Restoring the Effectiveness of Federal Policing and the National Anti-Drug Strategy[4].

Voted and Statutory Items

The following table illustrates the way in which Parliament approved PPSC resources, and shows the changes in resources derived from supplementary estimates and other authorities, as well as how funds were spent.

Voted or Statutory Items	Truncated Vote or Statutory Wording	2008-09 Main Estimates ($ millions)	2009-10 Main Estimates ($ millions)
35	Program expenditures	124.1	141.2
(S)	Contributions to employee benefit plans	14.6	14.8
	Total	**138.7**	**156.0**

[4] See the following website for more information on the National Anti-Drug Strategy http://www.nationalantidrugstrategy.gc.ca

SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

This section describes the PPSC's three program activities and priorities and plans for 2009-10.

2.1 Program Activity #1: Drug, *Criminal Code* and terrorism prosecution program

Human Resources (FTEs) and Planned Spending ($ thousands)

2009–10		2010–11		2011–12	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
684	118,414	714	124,688	705	124,994

Program Activity Expected Results	Performance Indicators	Targets
Litigation files that are prosecuted are decided on merit	• Percentage of all litigation files pursued for prosecution that are decided on merit (i.e., by most serious outcome of guilty plea, guilty plea (other / lesser offence), conviction, conviction (other / lesser offence), discharge, acquittal)	• Not applicable
Disposition of cases that are not decided on merit	• Percentage of litigation files not decided on merit: withdrawal, stay of proceedings (Court), stay of proceedings (Crown), quashed	• Not applicable

Description of Activity

Under this program activity, the PPSC provides prosecution-related advice and litigation support during the police investigation, and prosecutes all drug charges under the *Controlled Drugs and Substances Act*, regardless of whether a federal, provincial or municipal police agency lays the charges, except in the case of Quebec and New Brunswick, where the PPSC prosecutes drug charges laid by the RCMP. Some of these cases involve organized crime.

Pursuant to agreements and arrangements with the provinces, the PPSC also prosecutes *Criminal Code* offences where they are related to drug charges and the drug aspect forms the major part of the case. In the three territories, the PPSC prosecutes all *Criminal Code* offences.

The PPSC also provides prosecution-related advice and litigation support during police investigations[5], and prosecutes charges under the Part II.1 of the *Criminal Code (Terrorism)*, and the *Proceeds of Crime (Money Laundering) Terrorism Financing Act* to combat trans-national crime and terrorism.

Finally, this program activity involves the promotion of federal/provincial/territorial cooperation on criminal justice issues of mutual concern. This work is carried out through the PPSC's participation in the FPT Heads of Prosecutions Committee which supports and promotes effective horizontal linkages between various stakeholders involved in the administration of criminal justice in Canada. The PPSC also participates in dialogue with other stakeholders involved in the criminal justice field. These activities ensure that key linkages are developed and maintained with relevant professional and governmental organizations, both nationally and internationally.

During 2007-08, this program activity involved approximately 60,089 litigation files. The projected volume of litigation files for 2008-09 is 65,842.

Planning Highlights for 2009-10

Within this program activity, two ongoing priorities relate to organized crime and terrorism-related offences.

The focus on organized crime reflects the priority given to this issue by the federal government, federal police and other law enforcement authorities. The PPSC will continue to emphasize inter-jurisdictional cooperation within the prosecutorial community and with investigative agencies both federally, nationally and internationally; provide advice and litigation support during the investigative stage, especially on highly complex cases; prosecute organized crime cases on behalf of the Crown; and pursue proceeds of crime and offence-related property. While all PPSC regional offices prosecute organized crime cases, a number of them are involved in highly complex and resource-intensive cases that will continue through 2009-10, and will require dedicated teams of experienced counsel.

[5] It should be noted that the operational priority for prosecution-related advice during the investigative stage is primarily on highly complex cases.

The priority given to terrorism-related offences reflects the gravity with which national security matters are viewed. Four PPSC regional offices are currently prosecuting cases in which charges of terrorism have been laid, and dedicated teams of experienced counsel have been established to prosecute three of them. These cases are usually resource-intensive and some will carry over to 2009-10.

During 2009-10, the PPSC will continue to work closely with FPT heads of prosecution on issues and challenges of common interest, to co-chair the FPT Heads of Prosecutions Committee and to offer secretarial and administrative support, in addition to renewing efforts to ensure ongoing linkages between the Committee and partners from outside the prosecution community such as the Canadian Association of Chiefs of Police (CACP) and the Federation of Law Societies. The PPSC will also continue to participate in the work of the Heads of Prosecuting Agencies Conference (HOPAC) and the International Association of Prosecutors (IAP).

During 2009-10, the PPSC will continue to receive foreign delegations interested in criminal justice and who are seeking to deepen their understanding of the Canadian justice system and Canadian prosecution approaches, particularly in relation to drug and terrorism prosecutions, and with respect to areas of the *Criminal Code of Canada.*

Benefits to Canadians

This program activity contributes to ensuring a safe and secure Canada through the prosecution of a broad range of criminal activities. It deals with drug-related offences, complex organized crime cases, terrorism offences as well as war crimes and crimes against humanity.

2.2 Program Activity #2: Regulatory offences and economic crime prosecution program

Human Resources (FTEs) and Planned Spending ($ thousands)

2009–10		2010–11		2011–12	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
160	16,220	167	16,220	165	16,220

Program Activity Expected Results	Performance Indicators	Targets
Litigation files that are prosecuted are decided on merit	• Percentage of all litigation files pursued for prosecution that are decided on merit (i.e., by most serious outcome of guilty plea, guilty plea (other / lesser offence), conviction, conviction (other / lesser offence), discharge, acquittal)	• Not applicable
Disposition of cases that are not decided on merit	• Percentage of litigation files not decided on merit: withdrawal, stay of proceedings (Court), stay of proceedings (Crown), quashed	• Not applicable

Description of Activity

Under this program activity, the PPSC provides prosecution-related advice and litigation support to federal investigative agencies, and prosecutes all non drug cases under 50 federal statutes, including regulatory offences and economic crimes. Examples include offences under the *Canadian Environmental Protection Act*, the *Income Tax Act*, the *Competition Act*, the *Fisheries Act* and the *Canada Elections Act*, as well as offences under the *Customs Act*, the *Excise Act* and the *Excise Tax Act*.

Specialized teams are dedicated to prosecutions where a specialized knowledge of legislation is required. By way of example, several PPSC offices have teams of prosecutors dedicated to economic crimes prosecutions, whereas the Atlantic Regional Office has a team of counsel devoted full time to regulatory prosecutions, with fisheries offences accounting for up to 75% of the workload.

The PPSC also provides advice on and prosecutes complex capital market fraud cases. PPSC legal advisors are part of the RCMP's Integrated Market Enforcement Teams (IMETs) that investigate suspected capital market fraud

offences. Where provincial Attorneys General decline to prosecute, the PPSC may prosecute complex capital market fraud cases referred by the IMETs.

As well, a group of PPSC prosecutors provides services in highly specialized areas relating to offences under the *Competition Act*, the *Textile Labelling Act*, the *Precious Metals Marking Act*, and the *Consumer Packaging and Labelling Act*. While criminal investigations under these statutes are the responsibility of the Commissioner of Competition, the PPSC provides advice on investigations to Competition Bureau officers. The offences that are most often prosecuted under these statutes are false or misleading representations, deceptive telemarketing, cartel offences, and bid-rigging.

Another key component of this program activity is Law Practice Management (LPM). The challenge for the PPSC will be to develop and implement an LPM vision and model that will meet its needs, while supporting the current organizational design and being responsive to financial challenges.

This program activity also includes the PPSC's Agent Affairs Program, established to enhance the quality of legal services provided by agents and to ensure cost-effective service delivery. It includes a centralized support unit at PPSC headquarters, namely the Agent Affairs Unit, and Agent Supervision Units located in each regional office, which are responsible for the day-to-day management of agents.

In addition, this activity encompasses the duties of the Supreme Court of Canada (SCC) Coordinator who is responsible for the coordination of all litigation work the PPSC conducts in the Supreme Court.

Under this program activity, the PPSC acts as co-chair of the Securities Fraud and Economic Crime Prosecutors Affiliation, a subcommittee of the FPT Heads of Prosecutions Committee. This subcommittee is tasked with developing an inter-jurisdictional network of prosecutors, improving the co-ordination of enforcement by developing best practices and implementing a seamless system for sharing prosecutorial expertise and education between jurisdictions for the investigation and prosecution of large economic crime cases.

The PPSC is also responsible for recovering, under provisions of the *Criminal Code*, outstanding fines related to various federal offences.

This program activity involved a work volume of approximately 7,812 litigation files in 2007-08, which represented about 12% of the PPSC's total number of files. The projected volume of files for 2008-09 is 8,565.

Planning Highlights for 2009-10

Within this activity, one of the priorities for 2009-10 will be to complete the implementation of the recommendations of the November 2007 report to the Commissioner of the RCMP on *Enhancing Integrated Market Enforcement Teams, Achieving Results in Fighting Capital Markets Crime*[6]. This report set out a plan for improving the effectiveness of the IMETs, including approaches and use of resources relating to prosecutions. Of the five capital market crime prosecutions currently under way, the PPSC is prosecuting three and is jointly prosecuting two with provincial prosecutors.

A priority for 2009-10 will be to develop and partially implement a vision for Law Practice Management that will provide leadership on selected law practice activities such as revisions to the *FPS Deskbook*[7], legal risk management, knowledge management,legal training, and the management of the Fine Recovery Program.

As part of the LPM vision, the PPSC will again offer training through its School for Prosecutors. A needs assessment is under way to determine the enrolment capacity for the August 2009 session. In order to facilitate the sharing of training materials, the School is also developing a web-based repository of training materials, including training DVDs.

In addition, the PPSC will continue to work closely with federal-provincial-territorial heads of prosecutions on issues and challenges of common interest in the areas of regulatory offences and economic crime. The *Securities Fraud and Economic Crime Prosecutors Affiliation* will be focusing on the training of prosecutors who handle capital market offences cases and the development of best practices in areas such as information sharing and immunity agreements. The PPSC will also continue to actively participate in symposia and conferences which focus on regulatory offences and economic crime prosecutions, and to host delegations interested in regulatory prosecutions.

The PPSC's Supreme Court of Canada Coordinator will prepare directives for federal prosecutors regarding litigation in the Supreme Court and templates for commonly used documents such as facta and memoranda of law.

[6] The full report may be accessed at http://www.rcmp-grc.gc.ca/imet-eipmf/report-rapport-lepan2007-eng.htm
[7] The Federal Prosecution Service (FPS) Deskbook is a policy manual governing all PPSC staff prosecutors and legal agents.

Finally, the PPSC's Agent Affairs Program is preparing to implement 5-year fixed-term appointments within the agent community by staggering competitions over a maximum of 60 months. The goal is to make the agent appointment process more transparent and to ensure that all interested firms may apply. As there are currently some 210 standing agent firms across Canada, agents within a province will be divided into sub-regional groupings using judicial districts as a base. Each group will be notified of the date of termination of its existing appointments and the process that will be followed for the competitions. The grouping of agents by sub-regions allows for greater efficiencies in organizing interviews and scheduling training for new agents.

Benefits to Canadians

This program activity contributes to protecting the health, safety and general welfare of Canadians through the prosecution of offences under federal laws that regulate individual and corporate conduct. It also contributes to maintaining a secure, fair marketplace by enhancing compliance with and enforcement of marketplace rules and regulations.

2.3 Program Activity #3: Internal Services

Financial and Human Resource Requirements

Financial Resources (in $ thousands)

2009-10	2010-11	2011-12
28,165	20,519	20,035

Human Resources (Full-Time Equivalents)

2008-09	2009-10	2010-11
154	160	158

Program Activity Summary and Planning Highlights

Internal Services comprise groups of related activities that are administered to support the needs of the above two program activities and other corporate obligations of the organization. The planning highlights of Internal Services include the following:

- *Human Resources (HR) Management:* The Human Resources Directorate will develop and implement an HR Management Strategy and Plan to improve human resources management practices. The Directorate will ensure that the organization's structure is well aligned with its vision, business needs, strategic direction and goals; that the work is clearly defined; and that positions are properly classified.

- *Management and Oversight Services:* A committee has been struck to develop the organization's performance measurement framework, including the development of appropriate performance indicators, as well as to ensure internal systems can supply the required data to support the new indicators. This committee will continue its work in 2009-10.

- *Accommodations, Security and Conflict Management:* The PPSC's Administration Services will pursue the implementation of corporate support services for accommodations, security and conflict resolution. This will entail activities such as the following:
  - working with PWGSC to establish independent facilities for several headquarters functions (Finance, HR, IM/IT), and regional offices (Toronto and Edmonton);
  - consolidating offices to achieve economies of scale (Iqaluit and Whitehorse); and
  - implementing full services for both Security and Conflict Management.

These Internal Services planning highlights also contribute to the management priorities presented earlier under Section I.

SECTION III— SUPPLEMENTARY INFORMATION

3.1 List of Tables

The following tables are located on the Treasury Board Secretariat website:

Horizontal Initiatives[8]
http://www.tbs-sct.gc.ca/tbs-sct/index-eng.asp

Sources of Respendable and Non-Respendable Revenue
http://www.tbs-sct.gc.ca/rpp/2009-2010/index-eng.asp

3.2 Other items of Interest

Public Prosecution Service of Canada Annual Report 2007-2008
http://www.ppsc-sppc.gc.ca/eng/pub/index.html

The Federal Prosecution Service Deskbook
http://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg.html

[8] The PPSC is a partner in the following horizontal initiatives, led by the departments indicated in parenthesis: National Anti-Drug Strategy (Justice); Integrated Market Enforcement Teams (Public Safety); and Federal Tobacco Control Strategy (Health).

SECTION III—SUPPLEMENTARY INFORMATION